

U.S. Army Corps
of Engineers

Public Notice

In Reply to Application Number
CENAB-OP-RMN(RIVIERBEA CORPORATION/REVTMENT,
BREAKWATER, GROIN, FOOTBRIDGE, DREDGE)07-111-M24

PN-07-34

Comment Period: May 7, 2007 to June 7, 2007

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC ABOUT THE WORK DESCRIBED BELOW. AT THIS TIME, NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED.

The Baltimore District has received an application for a Department of the Army Permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (33 U.S.C. 1344), as described below:

APPLICANT: *Rivierbea Corporation*
269 Kenwood Road
Pasadena, Maryland 21122

LOCATION: In the Patapsco River at Riviera Beach, Anne Arundel County, Maryland

WORK: To remove existing groins and Jersey barriers and construct a 540 ft stone breakwater, reconstruct a 115 ft stone revetment, reinforce a 130 ft and 150 ft wood groin with stone, and construct a 160 ft stone revetment. To construct a 6 ft X 115 ft elevated wood footbridge to access the south side; and to eradicate 6320 square feet of Phragmites, and replanting with *Spartina patens*. To dredge a 20 ft X 65 ft X 235 ft channel between existing groins for flushing purposes and for beach nourishment behind the breakwater. The purpose of the proposed work is for erosion control/beach enhancement. All work is to be completed in accordance with the enclosed plan(s). If you have any questions concerning this matter, please contact *Mrs. Mary Frazier at (410) 962-5679*.

The Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), as amended by the Sustainable Fisheries Act of 1996 (Public Law 04-267), requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely effect essential fish habitat (EFH).

The project site lies in or adjacent to EFH as described under MSFCMA for *Scopthalmus aquosus* (windowpane flounder) juvenile and adult; *Pomatomus saltatrix* (blue fish) juvenile and adult; *Paralichthys dentatus* (summer flounder) juvenile and adult; and eggs, larvae, juvenile, and adult stages of *Sciaenops ocellatus* (red drum), *Scomberomorus cavalla* (king mackerel), *Scomberomorus maculatus* (spanish mackerel), and *Rachycentron canadum* (cobia), all managed species under the MSFCMA.

The project has the potential to adversely affect EFH or the species of concern by loss of nursery, forage and/or shelter habitat. The project may have an adverse effect on Essential Fish Habitat as described under the Magnuson-Stevens Fishery Conservation and Management Act for the species and life stages identified above. However, the District Engineer has made a preliminary determination that site-specific impacts would not be substantial and an abbreviated consultation will be conducted with NMFS. This determination may be modified if additional information indicates otherwise and would change the preliminary determination.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act from the Maryland Department of the Environment. Any written comments concerning the work described above which relate to water quality certification must be received by the Standards and Certification Division Maryland Department of the Environment, Montgomery Park Business Center, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland 21230-1708 within the comment period as specified above to receive consideration. Written comments concerning the work described above related to the factors listed above or other pertinent factors must be received by the District Engineer, US Army Corps of Engineers, Baltimore District, PO Box 1715, Baltimore, Maryland 21230-1715, within the comment period as specified above to receive consideration. The 401 certifying agency has a statutory limit of one year to make its decision.

The 401 certifying agency has a statutory limit of one year to make its decision. The applicant has certified in this application that the proposed activity complies with and will be conducted in a manner consistent with the Maryland Coastal Zone Program. This certification statement is

available for inspection in the District Office; however, public comments relating to consistency must be received by the Coastal Zone Division, Maryland Department of the Environment, 2500 Broening Highway, Baltimore, Maryland, 21224, within the comment period as specified above. It should be noted that CZ Division has a statutory limit of 6 months in which to make its consistency determination. The applicant must obtain any State or local government permits, which may be required.

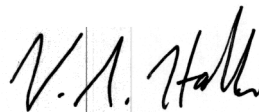
A preliminary review of this application indicates that the proposed work will not affect listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion therein are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

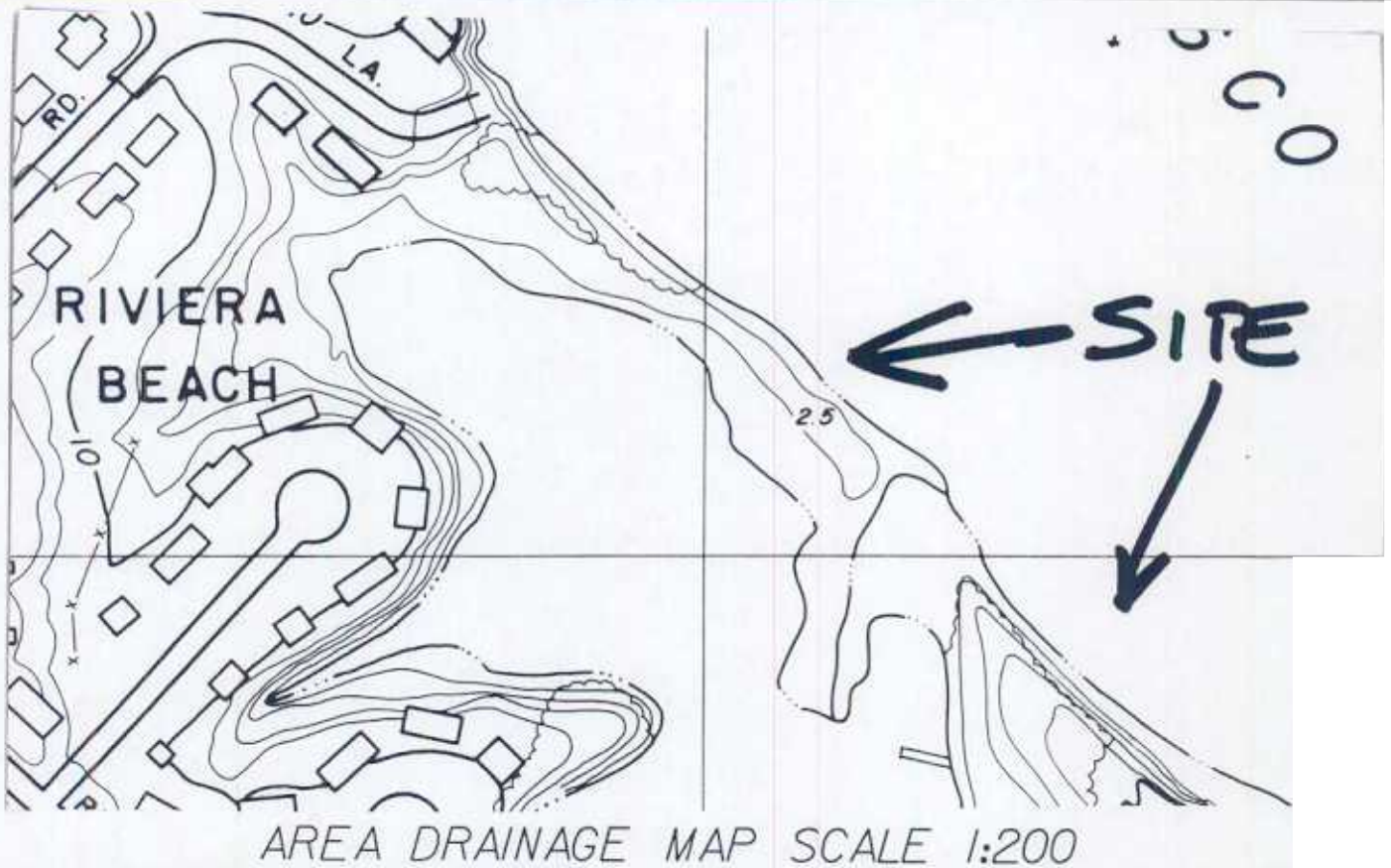
The evaluation of the impact of the work described above on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act. Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received by the District Engineer, US Army Corps of Engineers, Baltimore District, PO Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified as above to receive consideration. Also, it must clearly state forth the interest which may be adversely affected by this activity in the manner in which the interest may be adversely affected.

It is requested that you communicated the foregoing information concerning the proposed work to any persons known by you to be interested and not being known to this office, who did not receive a copy of this notice.

FOR THE DISTRICT ENGINEER:



Vance G. Hobbs
Chief, Maryland Section Northern



a: Acco
36: 252
To:
Par
Det
Lot
Zoning
Site

Ar

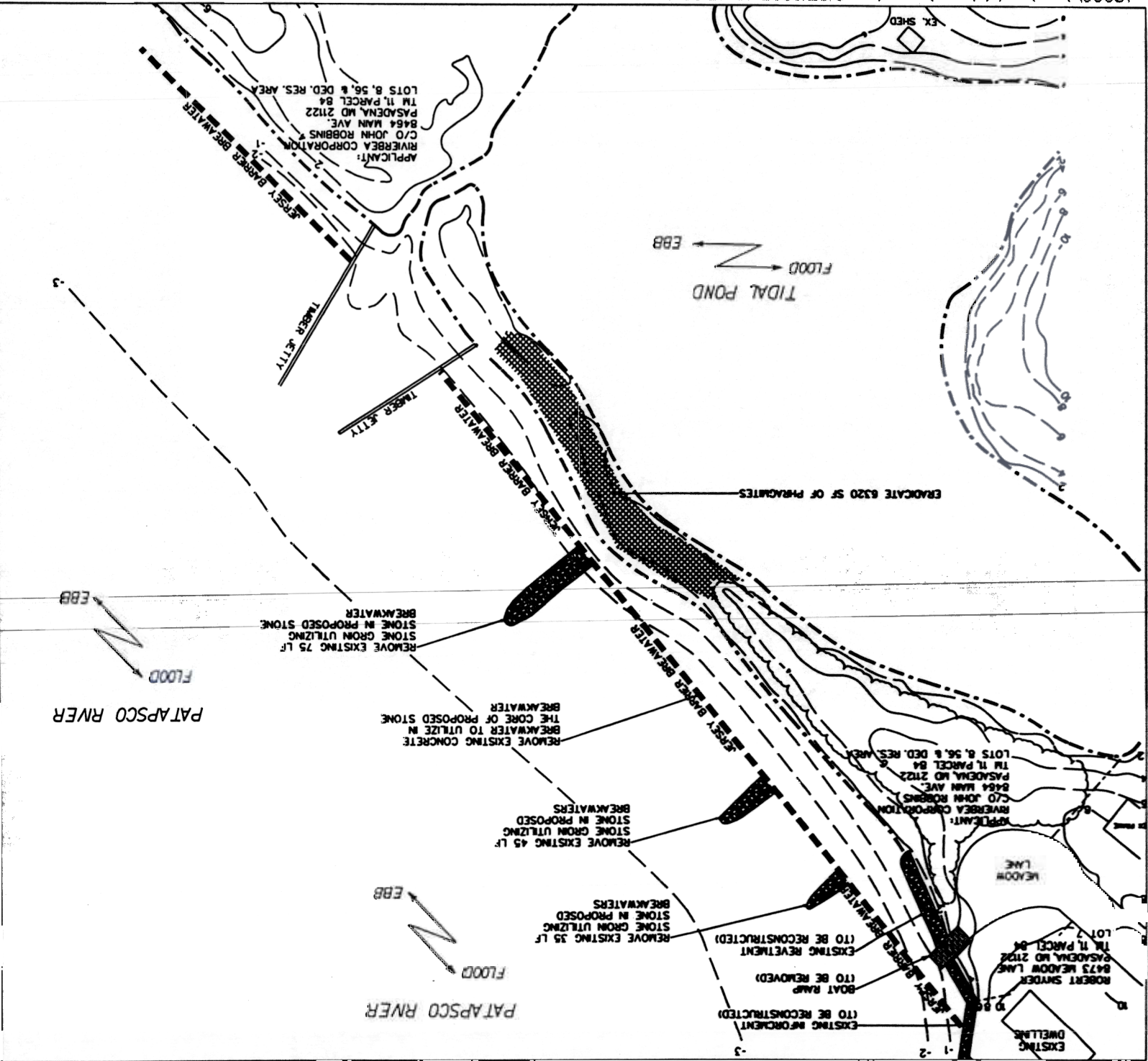
DATA/DREDGE SPEC. SHEET

TPC, Inc.
8371 B & A Blvd.
Suite B
Pasadena, MD 21122
(410) 315-7835

PROPOSED:

Dredging and shoreline repairs.

in: Patapsco River State: Maryland
co: Anne Arundel at: Riviera Beach
Application by: Rivierbea Corp.
Sheet 8 of 8 Date: February 20, 2007



Tax Account No.:
3693-2526-5500
Tax Map: 11

Parcel: 84
Deed Ref: 1469/532
Lot: Beach Area
Zoning: R5
Lot Size: 148,895 SF

EXISTING SITE PLAN
SCALE: 1" = 100'

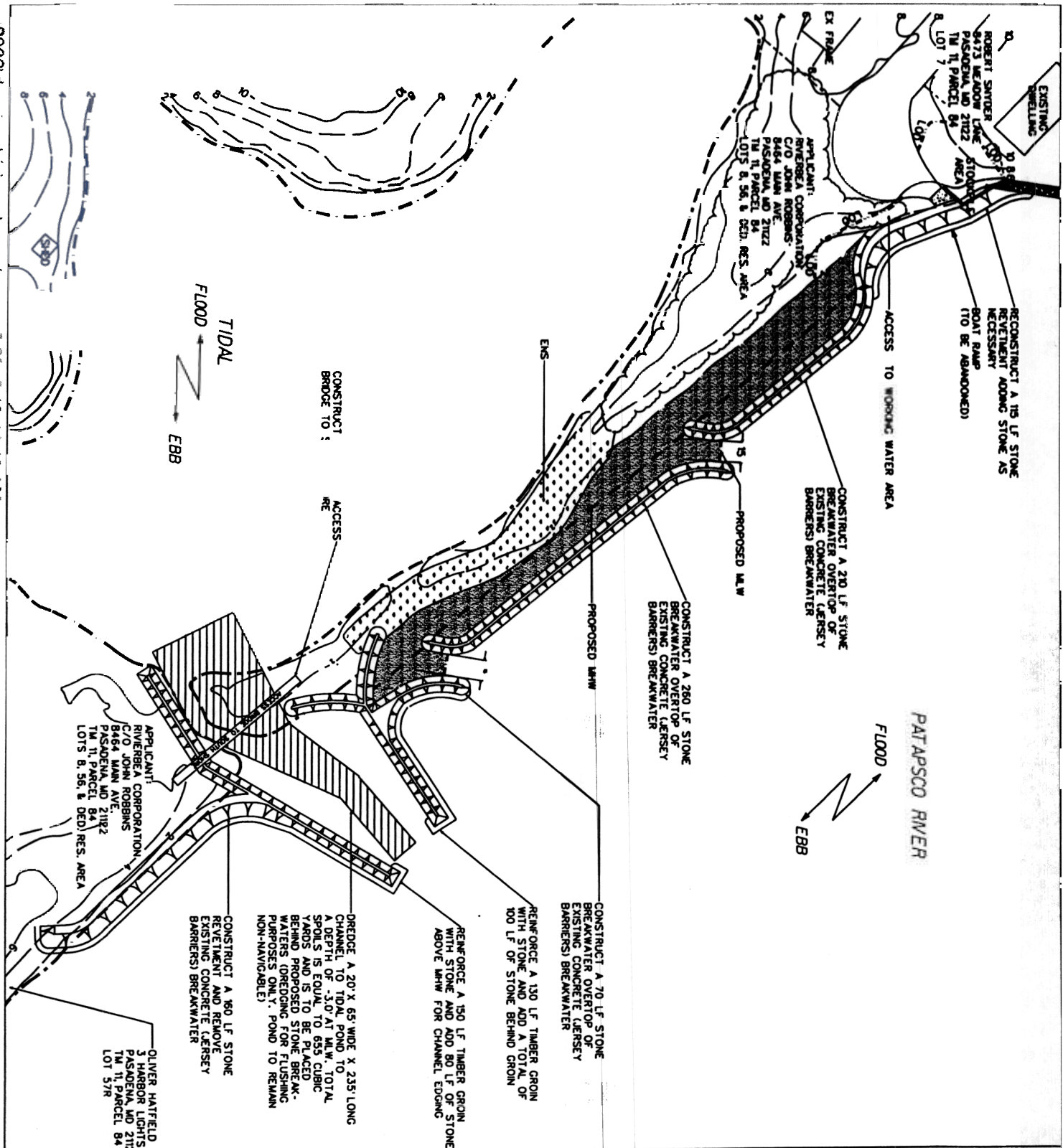
TPC, Inc.
8371 B & A Blvd.
Suite B
Pasadena, MD 21122
(410) 315-7835

PROPOSED:
Dredging and shoreline

in: Patapsco River
State: Maryland
at: River o Ranch
Application by: Riverbea Corp.
Dof: Februar 20, 2007

NOTE: This drawing for permit purpose only dimensions or ermined location survey provided applicant

Applicant' Signature



Tax Account No.: 3693-2526-5500
 Tax Map: 11
 Parcel: 84
 Deed Ref: 1469/532
 Lot: Beach Area
 Zoning: R5
 Lot Size: 148,895 SF

PROPOSED SITE PLAN
 SCALE: 1" = 100'

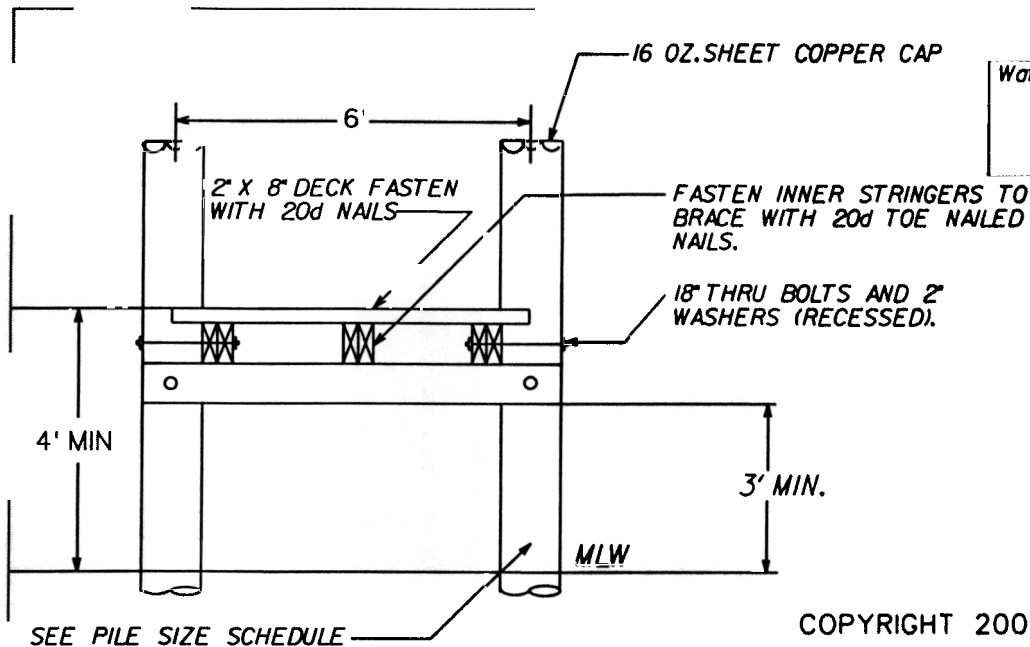
TPC, Inc.
 8371 B & A Blvd.
 Suite B
 Pasadena, MD 21122
 (410) 315-7835

PROPOSED:
 Dredging and shoreline repairs.

in: Patapsco River State: Maryland
 co: Anne Arundel at: Riviera Beach
 Application by: Riverbea Corp.
 Sheet 2 of 8 Date: February 20, 2007

NOTE: This drawing for permit purpose only. All dimensions are determined from a location survey provided by the applicant.

Applicant's Signature:



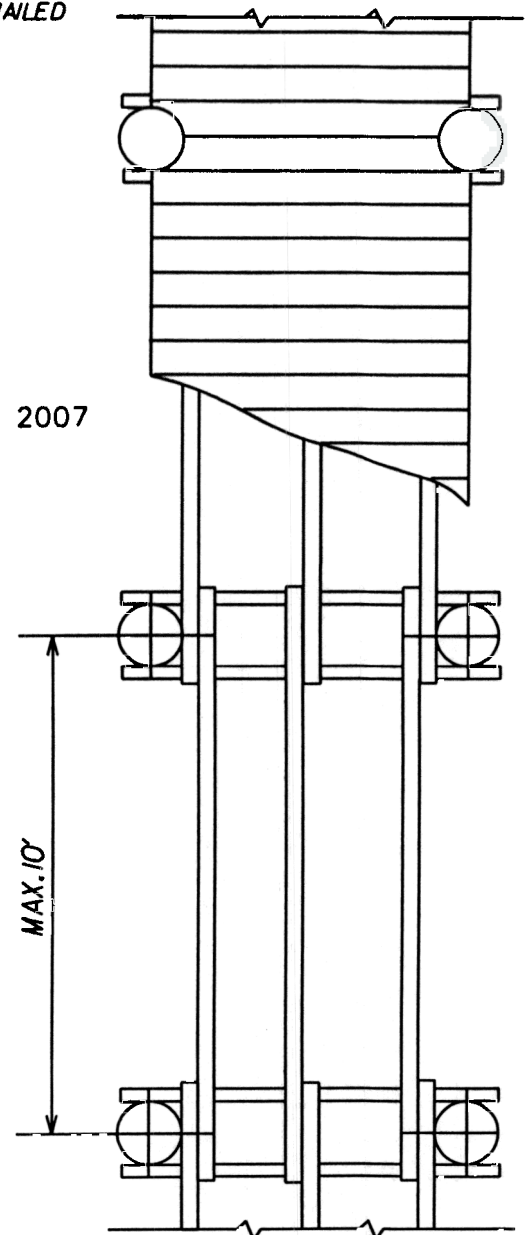
PILE SIZE SCHEDULE		
Water Depth (MLW)	Pile Diameter	Pile Length
0' - 3'	10"	16'
3' - 6'	12"	22'
6' - 9'	14"	30'
9' - 12'	14"	35'

COPYRIGHT 2007

TYPICAL WALKWAY CROSS SECTION NOT TO SCALE

NOTES:

1. Wood shall be grade #2 or better per S.P.I.R. Standards. Treatment shall be per AWP Standards: (1) Piles - 1.5 lb/cu. ft. CCA Type C. For areas of severe marine infestation 2.5 lb/cu. ft. CCA is recommended; (2) Decking and stringers - 0.5 lb/cu. ft. Penta or 0.4 lb/cu. ft. CCA Type C.
2. All steel hardware shall be hot dip galvanized after fabrication.
3. For pier widths of 4' or less a center stringer is not required.
4. For piles extending more than 5 ft. above mean low water, the pile length must be increased accordingly.
5. Where this standard calls for a pair of 1/2" x 6" lag bolts, a single 3/4" bolt with a 2" washer and a square nut may be substituted.
6. This standard is for typical river conditions with firm granular soil. It does not take into account excessive water depth, poor soil conditions, scouring due to currents or waves, or heavy loads. Where site conditions differ the structure shall be designed and sealed by a Professional Engineer registered to practice in the State of Maryland.
7. The details on this drawing are to be considered as minimum standards for specific conditions. It shall be the responsibility of the applicant to determine if conditions require design modifications. The Permit Coordinators and the Engineer assume no responsibility or liability for performance of the structure on this drawing.
8. All bolts to be thru bolted and recessed on outboard side



Typical Pier Plan
Scale: None

Tax Account No.: 3693-2526-5500 Tax Map: 11 Parcel: 84 Deed Ref: 1469/532 Lot: Beach Area Zoning: R5 Lot Size: 148,895 SF	PIER SPEC. SHEET	PROPOSED: Dredging and shoreline repairs. in: Patapsco River State: Maryland co: Anne Arundel at: Riviera Beach Application by: Rivierbea Corp. Sheet 3 of 8 Date: February 20, 2007
	TPC, Inc. 8371 B & A Blvd. Suite B Pasadena, MD 21122 (410) 315-7835	

NOTE: This drawing for permit purpose only. All dimensions are determined from a location survey provided by the applicant.

Applicant's Signature: _____

ALL RIPARIAN PROPERTY OWNERS WITHIN 175'

1. VALERIE SIMMONS-HARRISON
1 HARBOR LIGHTS LANE
PASADENA, MD 21122
TM 11, PARCEL 84
LOT 59

2. OLIVER HATFIELD
3 HARBOR LIGHTS LANE
PASADENA, MD 21122
TM 11, PARCEL 84
LOT 57R

3. ROBERT SNYDER
8473 MEADOW LANE
PASADENA, MD 21122
TM 11, PARCEL 84
LOT 7

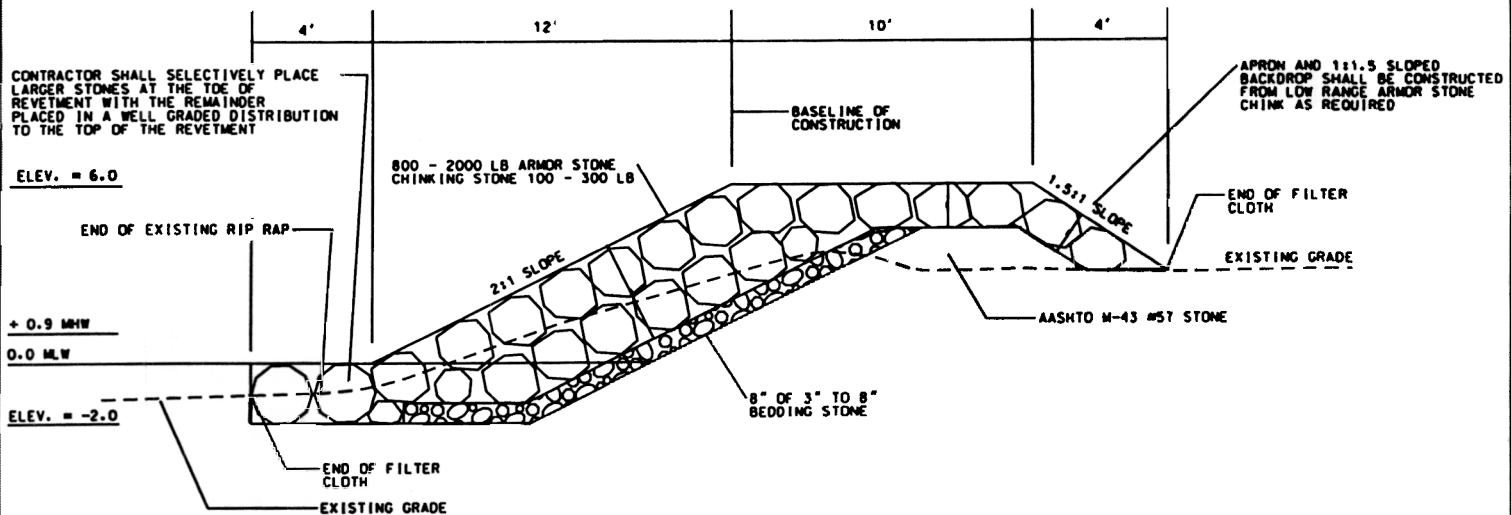
4. THOMAS SOROKA
8471 MEADOW LANE
PASADENA, MD 21122
TM 11, PARCEL 84
LOT 6

5. BO BJAREKULL
8469 MEADOW LANE
PASADENA, MD 21122
TM 11, PARCEL 84
PT. OF LOTS 4 & 5

6. THOMAS SOROKA
8465 MEADOW LANE
PASADENA, MD 21122
TM 11, PARCEL 84
PT. OF LOTS 4 & 5

7. EDWARD MAJCHRZAK
8463 MEADOW LANE
PASADENA, MD 21122
TM 11, PARCEL 84
LOT 3

8. DAWN THORNTON
8461 MEADOW LANE
PASADENA, MD 21122
TM 11, PARCEL 84
LOT 2



REVETMENT SECTION

SCALE: NTS

Tax Account No.:
3693-2526-5500
Tax Map: 11
Parcel: 84
Deed Ref: 1469/532
Lot: Beach Area
Zoning: R5
Lot Size: 148,895 SF

REVETMENT/DATA SPEC. SHEET

TPC, Inc.
8371 B & A Blvd.
Suite B
Pasadena, MD 21122
(410) 315-7835

PROPOSED:
Dredging and shoreline repairs.

in: Patapsco River State: Maryland
co: Anne Arundel at: Riviera Beach
Application by: Rivierbea Corp.
Sheet 5 of 8 Date: February 20, 2007

NOTE: This drawing for permit purpose only. All dimensions are determined from a location survey provided by the applicant.

Applicant's Signature: _____

Applicant's Signature:

NOTE: This drawing for permit purpose only. All dimensions are determined from a location survey provided by the applicant.

Tax Account No.:
3693-2526-5500
Tax Map: 11
Parcel: 84
Deed Ref: 1469/532
Lot: Beach Area
Zoning: R5
Lot Size: 148,895 SF

DATA/DREDGE
SPEC. SHEET

TPC, Inc.
8371 B & A Blvd.
Suite B
Pasadena, MD 21122
(410) 315-7835

PROPOSED:
Dredging and shoreline repairs.

in: Patapsco River State: Maryland
co: Anne Arundel at: Riviera Beach
Application by: Riviera Corp.
Sheet 6 of 8 Date: February 20, 2007

NOTES:

1. AN SAV SURVEY WAS CONDUCTED ON JUNE 3, 2006 IN DREDGE AREAS AS WELL AS AROUND DREDGE AREA TO SHORELINE. NO SAVS WERE LOCATED AND THEREFORE ARE NOT SHOWN ON SITE PLAN. METHOD WAS RACKING WITH HARD RACK FROM JON BOAT.

2. BORINGS OF DREDGE AREA INDICATE SAND MATERIAL. METHOD TO OBTAIN SAMPLES WAS THE USE OF A POST HOLEDIGGER FROM A BOAT. MATERIAL WAS VISUALLY INSPECTED. MATERIAL WILL BE BARGED, OFF-LOADED, AND DEPOSITED AT THE COMMUNITY BEACH AND REMAIN UNPLANTED.

3. THIS PROJECT IS A MAINTENANCE DREDGE AND WAS PREVIOUSLY LICENSED UNDER WETLANDS LICENSE NUMBER 04-0832.

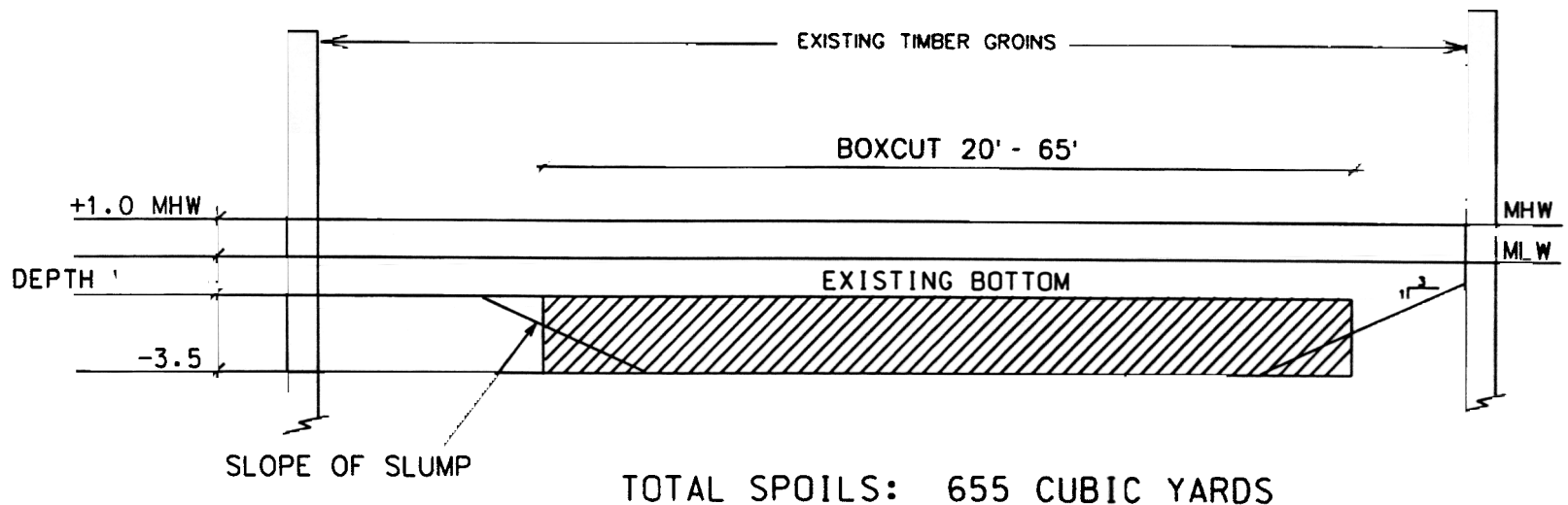
4. SHORT AND LONG TERM IMPACTS TO AREA:

A. INCREASE FLUSHING OF THE COVE

B. INCREASE IN SPECIES OF SHALLOW AND DEEPER WATER HABITAT TO COVE

C. INCREASE DEPTH WILL ALLOW FOR INCREASE IN SAV BED DENSITY

SINCE BOAT PROPS WILL NOT DAMAGE BEDS IN COVE AND CHANNEL.



TYPICAL CHANNEL DREDGE CROSS SECTION NO SCALE

SITE DATA

SITE DATA:

TOTAL LOT SIZE = 148,895 SF
CRITICAL AREA DESIGNATION = LDA/RCA
ZONING = R5
DISTURBED AREA = 4900 SF

WOODLANDS DATA:

EXISTING WOODLANDS = 24,120 SF
WHICH INCLUDES 6320 SF OF PHRAGMITES
WOODLANDS REMOVED = 6320 SF OF PHRAGMITES
REFORESTATION PROPOSED
(SPARTINA PATENS) = 6320 SF

IMPERVIOUS SURFACE CALCULATIONS:

EXISTING IMPERVIOUS = 5262 SF
PAVILION = 0 SF
SHEDS/GARAGES = 0 SF
WALKWAYS/PATIOS = 0 SF
DRIVEWAYS = 5262 SF
PROPOSED IMPERVIOUS = -175 SF
TOTAL FINAL IMPERVIOUS = 5087 SF
NET GAIN OR LOSS = 0 SF

SEQUENCE OF CONSTRUCTION

1. ESTABLISH THAT ALL PERMITS HAVE BEEN OBTAINED. (1 DAY)
2. NOTIFY OWNER OF PROPERTY, DNR INSPECTOR, AND THE AACO. GRADING INSPECTOR, FOR A PRE-CONSTRUCTION MEETING AT THE PROPERTY AT LEAST 1 DAY PRIOR TO START OF WORK. (1 DAY)
3. INSTALL CONSTRUCTION ENTRANCE AND ESTABLISH ALL LOD. (1 DAY)
4. CONSTRUCT SAND ROAD TO FURTHEST WORKING AREA. REMOVE ALL FALLEN TREES AND DEBRIS FROM SHORELINE AND BANK. (2 DAYS)
5. PLACE FILTER CLOTH OVER SUBSTRATE AND INSTALL ARMOR STONE FOR STONE SILL. FINISH GRADE OF SAND. (3 WEEKS)
6. SEED, LIME AND FERTILIZE ALL DISTURBED AREA IMMEDIATELY BEHIND NEW DEVICES. STRAW FLAT AREAS AND CURLEX SLOPED AREAS. (1 DAY)
7. REMOVE CONSTRUCTION ENTRANCE AND RESTORE BACK TO PRE-CONSTRUCTION CONDITIONS. (1 DAY)
8. SWEEP UP WORKSITE AND CALL FOR FINAL INSPECTION. (1 DAY)

Tax Account No.:
3693-2526-5500
Tax Map: 11
Parcel: 84
Deed Ref: 1469/532
Lot: Beach Area
Zoning: R5
Lot Size: 148,895 SF

JOB DATA SHEET

TPC, Inc.
8371 B & A Blvd.
Suite B
Pasadena, MD 21122
(410) 315-7835

PROPOSED:

Dredging and shoreline repairs.

in: Patapsco River State: Maryland
co: Anne Arundel at: Riviera Beach
Application by: Rivierbea Corp.
Sheet 7 of 8 Date: February 20, 2007

NOTE: This drawing for permit purpose only. All dimensions are approximate and were provided by the applicant.

Applicant's Signature: